



**State of Connecticut**  
DIVISION OF CRIMINAL JUSTICE

**TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE**

**IN OPPOSITION TO**

**S.B. No. 460 (RAISED) AN ACT CONCERNING COMPASSIONATE OR MEDICAL  
PAROLE AND CREDITS AWARDED FOR RELEASE DURING AN EMERGENCY  
DECLARATION.**

JOINT COMMITTEE ON JUDICIARY  
March 25, 2022

The Division of Criminal Justice opposes S.B. No. 460, An Act Concerning Compassionate or Medical Parole and Credits Awarded for Release During an Emergency Declaration. However, should this be voted out of Committee, the Division believes the language should be amended to ensure that notice is provided to the victim and prosecutor, that the Board of Pardons and Paroles has all of the pertinent information, and that there is a proper balancing of safety for the inmate with the safety of the public.

Notice to a prosecutor and the victim(s) is particularly important since there is no percentage of time required to have been served prior to applying for compassionate parole under this proposal. The Division believes that it is vital for the Board of Pardons and Paroles to afford an opportunity for these individuals to be heard. Understandably, these hearings would occur quickly given the emergency nature of the applications, so the Division does not request a lengthy notice period – merely that notice be given, as well as an opportunity to be heard. The Division also recommends providing guidance to the Board of Pardons and Paroles within the statute as to how to weigh the harm to the individual by remaining incarcerated against the harm to society if the individual is released.

As such, the Division recommends the below language be substituted in Section 7:

(b) The Board of Pardons and Paroles may grant a compassionate parole release to any inmate serving any sentence of imprisonment, except an inmate convicted of a capital felony under the provisions of section 53a-54b in effect prior to April 25, 2012, murder with special circumstances under the provisions of section 53a-54b in effect on or after April 25, 2012, or a Class A felony if a federal or state emergency has been declared by the Governor of this state and, following the opportunity to be heard by a prosecutorial official, it finds that, as a result of the cause of the declaration, such inmate will be in imminent danger of grievous

bodily harm if he or she remains incarcerated, and that the risk of such harm outweighs the risk to the public in releasing such inmate which determination shall be based on (1) the nature and circumstances of the offense or offenses for which the inmate is being incarcerated, (2) the inmate's complete criminal history record (3) a victim impact statement, if provided, and (4) the record of the inmate's conduct while incarcerated, including the commission of any new offenses and disciplinary violations.

In conclusion, the Division of Criminal Justice opposes S.B. 460, and respectfully requests that the language in Section 7 be amended, as recommended above, should the bill be voted out of Committee. We thank the Committee for affording this opportunity to provide input on this matter and would be happy to provide any additional information the Committee might require or to answer any questions that you might have.